United States District Court Southern District of Texas

ENTERED

September 07, 2022 Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| MARIE LILLY, INDIVIDUALLY, and | § |
|---|---|
| as Representative of the Estate of EDNA | § |
| SPELLS, | § |
| | § |
| v. | § |
| | § CIVIL ACTION NO. 4:20-cv-03478 |
| SSC HOUSTON SOUTHWEST | § |
| OPERATING COMPANY, LLC d/b/a | § JUDGE GEORGE C. HANKS |
| WESTCHASE HEALTH AND | § |
| REHABILITATION CENTER; AND | § |
| TEXAS HOLDCO, LLC | § |
| | |

ORDER GRANTING STIPULATION ON DISMISSAL

On September 11, 2020, Plaintiff commenced this action in the 234th Judicial District Court of the State of Texas for the County of Harris entitled *Marie Lilly Individually and as a Representative of the Estate of Edna Spells v. SSC Houston Southwest Operating Company, LLC d/b/a Westchase Health and Rehabilitation Center; and Texas HoldCo, LLC,* Cause No. 2020-55655. On October 9, 2020, Defendants removed this case to Federal Court. Plaintiff filed a Notice of Dismissal as to Texas HoldCo, LLC on November 19, 2020.

Pursuant to Fed. R. Civ. P. 41, Plaintiff files this stipulation of Nonsuit against Defendant SSC Houston Southwest Operating Company, LLC d/b/a Westchase Health and Rehabilitation Center, WITH prejudice to re-filing same. All parties have agreed the costs of the court are taxed against the party incurring the same.

Respectfully Submitted,

/s/ Jacob Runyon
THE CLINESMITH FIRM

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ATTORNEYS FOR PLAINTIFFS

/s/ Lori Proctor (Signed with permission)
Lori Proctor
Jon Hlavinka
Counsel for Defendant Southwest Operating Company, LLC
d/b/a Westchase Health and Rehabilitation Center

IT IS SO ORDERED on this 7th day of September, 2022.

GEORGE C. HANKS, JR. UNITED STATES DISTRICT JUDGE